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TAGS: [PGOV](#) [PREL](#) [KDEM](#) [PINR](#) [RS](#)  
SUBJECT: TOUGHER ENVIRONMENT FOR PARTIES AS ELECTIONS  
APPROACH

REF: A. 06 MOSCOW 11388

[1](#)B. 06 MOSCOW 12498

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[1](#)1. (SBU) Summary: Since the 2003 State Duma elections, the legislative environment for the December 2007 State Duma elections has changed significantly:

- registration of political parties and their inclusion in the ballots for elections have become more complicated;

- the deposit to be paid by parties not wanting to collect signatures has increased significantly;

- this will be the first federal election that will be based solely on party lists;

- the opportunities for parties to campaign aggressively have been reduced by prohibitions against "negative" advertising and the law on extremism;

- the "against all" option on the ballot has been removed;

- there is no minimum voter turnout required for an election to be valid;

- parties must win at least seven percent of the vote to enter the Duma, up from five percent in 2003; and,

- election monitors not sponsored by political parties or having the status of a journalist have largely been excluded.

These changes, and the pervasive use of administrative resources, are seen by opposition parties to have created a controlled election process that favors incumbents. End summary.

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Party Registration More Difficult  
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[1](#)2. (SBU) Although technically possible, it is unlikely that any new parties will be registered or that any de-registered parties will be re-registered in time for the December 2007 Duma elections. Thanks to 2006 amendments to the election law, registering a political party now requires the signatures of at least 50,000 members -- only 10,000 were necessary to register for the 2003 elections -- and a party must have at least 500 members, compared to 100 in 2003, in more than half of Russia's 86 regions. This creates a

formidable barrier for any new party, or a party without broad organizational resources, to overcome. The Federal Registration Service (FRS) has been scrupulous in assuring adherence to the law. Nine parties have been de-registered since it came into effect on January 1, 2007, with an additional sixteen failing to meet the new requirements. Still, sixteen parties remain eligible to participate in the December Duma elections.

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Getting on the Ballot  
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13. (SBU) There are three ways to qualify for the ballot: being represented in the current Duma; depositing RUR 60 million (USD 2.4 million), which is returned if the party receives at least four percent of the vote; or gathering at least 200 thousand signatures, with no more than 14 thousand from any one region. The first category has conferred prima facie election participation on United Russia, For A Just Russia (which qualifies as a party represented in the current Duma by assuming the mantle of Rodina, one of its three founding parties), LDPR, and the Communist Party (KPRF). Remaining contenders, such as the Union of Right Forces (SPS), Yabloko, and Patriots of Russia, will need to gather signatures or pay the pledge in order to qualify for the December contest. In the March 2007 regional elections, few parties chose to pay the deposit, which was quite high. (In St. Petersburg, the election deposit was RUR 90 million, about USD 3.6 million.) The high deposit and close scrutiny of signature petitions can act as a de facto barrier to participation by minor parties. (In the March 11 regional elections, the St. Petersburg regional election commission, backed by the Central Election Commission (CEC) and the courts, held that more than the required threshold of ten percent of Yabloko's signatures were false, leading to the party's disqualification.) Calls from former CEC Chairman Aleksandr Veshnyakov and others to remove the need for

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parties registered with the FRS to qualify separately with election commissions for each election have so far gone unheeded.

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Party Lists Only  
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14. (SBU) The 2007 Duma election will be the first federal party list only election. In 2003, there were single-mandate districts and party lists, which enabled locally well-regarded politicians to run and win, despite weak party ties. Now prospective Duma deputies will need above all to convince party leaders of their merits in order to be elected. Recently-enacted "harmonizing" legislation has introduced a new method for making up party lists. The new system envisions a "federal" party list, plus 80 separate "regional" lists, each of which must consist of at least three candidates. Since the "regional" lists are not actually tied to regions, parties are free to demarcate their regions as they see fit, which essentially appears to allow each party to devise its own 80 individually gerrymandered districts.

15. (SBU) The 2007 electoral amendments also specify that if a party fields less than 75 regional party lists, it may be disqualified altogether. In effect, a registered party can be taken off the ballot if it fails to field full party lists in only six of the eighty regions. In other words, only six candidates (one from each of six regional party lists) need to have made some mistake in their registration documents in order for the entire party to lose its shot at Duma representation.

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Campaigning  
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¶6. (SBU) Once on the ballot, amendments that prevent "negative" campaigning and allow candidates to be removed from the ballot and media to be ultimately de-registered for "extremism" (an ill-defined term) may be employed. The March regional elections suggested a propensity on the part of candidates and parties to cry "extremism" at almost any expression of disagreement with the status quo. The regional media, concerned about losing their licenses, have often refrained from covering elections in any but the blandest terms in spite of, in some cases, being encouraged by their regional election commissions to step into the fray.

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Election Day  
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¶7. (SBU) The major changes affecting election day include the removal of the "against all" option from the ballot, abolishment of the minimum voter turnout requirement, and a requirement that a party receive seven percent, as opposed to five percent, of the vote in order to win Duma representation. Both the removal of "against all" and of the minimum voter turnout requirements were strongly opposed by Veshnyakov, who charged that they would make Russians feel that citizen participation was not wanted or needed. Many also worried that low voter turnout could cause some to question the legitimacy of the elections. Supporters have noted that the Russian Constitution offers Russian citizens the right, but not the duty, to participate.

¶8. (SBU) Finally, parties may invite whomever they like to observe elections, but the law makes no provision for independent election observers. NGOs which intend to observe elections may do so only if sponsored by parties represented on the ballot. The two major pro-Kremlin parties, United Russia and A Just Russia, have to date been unwilling to sponsor NGO observers. Some NGOs have indicated that they may attempt to have their observers accredited as journalists, who may observe elections, in order to sidestep the restriction on unaffiliated observers.

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Administrative Resources  
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¶9. (SBU) Although not addressed by legislation, the use of "administrative resources" is considered an important election factor. According to sources, administrative resources range from university professors being required to

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make their students vote (on penalty of bad grades/loss of jobs), polling stations at one-factory towns being located on site to make sure that everyone votes correctly, as well as the use of GOR facilities for campaign activity. While administrative resources are less effective in cities, where the majority of Russia's population lives, United Russia's pluralities in the countryside in recent regional elections suggest that they remain a factor.

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Comment  
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¶10. (SBU) It appears that amendments to Russian electoral legislation since the 2003 elections have been crafted in order to ensure a managed process that favors incumbent parties. The changes provide the Federal Registration Service and regional election commissions with ample, legal reasons to disqualify parties should they choose to do so. Amendments to the law on extremism, so far, have further discouraged aggressive media coverage of the elections. The elimination of the "against all" box on the ballot has made it less simple for voters to register their rejection of the

menu of parties offered. With the December Duma election campaign already informally underway, it appears that four parties have had the resources and organizational structures necessary to remain in the race. A fifth party, the Union of Right Forces, could cross the seven percent threshold to representation. The remaining registered parties have little prospect of making it into the Duma.

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